

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

NEYEMBO NDULWEH MIKANDA,

Case No. 3:24-cv-05475-TMC

Plaintiff,

## ORDER TO SHOW CAUSE

V.

## TACOMA PUBLIC DEFENDER et al,

## Defendants.

This matter comes before the Court on its own motion. On June 14, 2024, pro se Plaintiff Neyembo Ndulweh Mikanda initiated this case by filing a proposed complaint. Dkt. 1. However, Mr. Mikanda did not pay the filing fee or request leave to proceed in forma pauperis (IFP). The same day, the Court issued a Notice of Filing Deficiency to Mr. Mikanda, informing him of his obligation to either pay the filing fee or file an IFP motion no later than July 15, 2024. Dkt. 2. Mr. Mikanda has not paid the fee or made any filings since the Notice was sent.

Plaintiffs have a general duty to prosecute their claims. *See Fid. Phila. Tr. Co. v. Pioche Mines Consol., Inc.*, 587 F.2d 27, 29 (9th Cir. 1978). To “prevent undue delays in the disposition of pending cases and to avoid congestion in the calendars of the District Courts,” federal courts may exercise their inherent power to dismiss a case of their own accord for a plaintiff’s failure to

1 prosecute. *See Link v. Wabash R. Co.*, 370 U.S. 626, 629–31 (1962); *see also Hells Canyon Pres.*  
2 *Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005) (finding that courts may dismiss  
3 cases *sua sponte* pursuant to Rule 41(b) for failure to prosecute).

4 The Court therefore ORDERS Mr. Mikanda to show cause as to why this case should not  
5 be dismissed for failure to prosecute by August 13, 2024. Failure to timely respond will result in  
6 dismissal without prejudice. The Clerk is directed to send uncertified copies of this Order to all  
7 counsel of record and to any party appearing pro se at said party's last known address.

8 Dated this 30th day of July, 2024.

9   
10

11 Tiffany M. Cartwright  
12 United States District Judge